

Amendments to the Drawings:

The attached replacement drawings include changes to Figures 1, 4a and 11. The changes are presented to present clarity of the drawings and do not present any new matter.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

In the Office Action, the Examiner outlined an objection to the drawings presented in connection with the patent application. The Examiner stated that several of the drawings appear to be photocopies from an original set, and the photocopies make it hard to discern certain items of the Applicant's invention, as well as mask some parts, such as in Figure 4a. Although these drawings have already been approved by the U.S.P.T.O. in connection with related Patent Nos. 6,612,418 and 6,830,145, the Applicant has provided replacement drawings for Figures 2, 4a and 11. The replacement drawings do not present any new matter. In addition, the Examiner outlined a rejection to claims 31 and 33 under 35 U.S.C. § 102(b) as being anticipated by Tisma (U.S. Patent No. 5,170,610) and a rejection to claim 32 as being rejected under 35 U.S.C. § 103(a) as being unpatentable over Tisma in view of Reuter et al. (U.S. Patent No. 4,262,470).

In general, the present invention is directed to a high speed transfer system capable of transferring articles between two asynchronous, uncoupled or non-synchronized elements, enabling both elements to work largely independent of the other. In order to enable the two non-synchronized elements to work largely independent of one another, the high speed transfer system preferably includes an air conveyor, a servo conveyor and a fan feeder that work in a synergistic manner to coordinate delivering packages from a bagging system to a packaging system. Each of the independent claims in the application has been limited to further define the transfer system, while various dependent claims have also been added to specify further aspects of the invention.

In rejecting claims 32 and 33, the Examiner relies upon the prior art reference to Tisma which employs a conveyor to move pouches onto an automatic packaging machine. The packaging machine asynchronously receives pouches from a suitable source and stores them to provide a buffered time period and then delivers the packages to mandrels in synchronization with an automatic packaging machine work cycle. The Tisma reference does not employ either of a air conveyor, a servo conveyor or a fan feeder to delivery packages from a bagger system to a cartoner system in a manner

corresponding to that now covered by the present invention. That is, as claims 31, 32, and 33 have been amended to clarify that the transfer system includes at least one of an air conveyor, a servo conveyor and a fan feeder, the Applicant respectfully submits that claims 31 and 33 are clearly patentably defined over the prior art of record and request the Examiner to withdraw the rejection.

On page 3 of the Office Action, the Examiner outlines a rejection to claim 32 under 35 U.S.C. § 103(a) as being unpatentable over Tisma in view of Reuter et al. The Examiner relies upon Reuter et al. to teach a vertical feed bagger system. Initially, the Applicant questions why one would modify the system outlined in Tisma with the system described in Reuter et al. That is, the Applicant respectfully submits that there is simply no motivation for incorporating a vertical feed bagger system into the system outlined in Tisma. Moreover, the Applicant respectfully submits that Reuter et al. does not actually teach a vertical feed bagger system, but rather a packaging system for processing a web from a roll to fold the web, insert a product and seal the web about the product to form a package. That is, Reuter et al. is not seen to vertically feed packages or bags but rather a continuous web from a roll. However, despite these differences, the Applicant has amended claim 32 to recite that the transfer system employs at least one of an air conveyor, a servo conveyor and a fan feeder in a manner analogous to the changes made to claims 31 and 33. Accordingly, the Applicant submits that claim 32 is clearly patentably defined over the prior art of record and requests the rejection to be withdrawn. More specifically, it is respectfully submitted that none of the prior art of record is concerned with asynchronous operation of bagger and cartoner systems, let alone employing in such an arrangement a transfer system including at least one of an air conveyor, a servo conveyor and a fan feeder.

The Applicant has also presented a number of dependent claims which further define the air conveyor, servo conveyor and/or fan feeder arrangement. More particularly, the dependent claims describe a particular orientation of the various components with respect to one another, as well as adding a controller which is

operatively connected to each of the transfer system components to support the asynchronous operation.

Based on the above remarks, amendments made to the claims and submission of substitute drawings, the Applicant respectfully submits that the present invention is patentably defined over the prior art of record and requests the Examiner to allow all the claims and pass the application to issue. If the Examiner should have any additional questions or concerns regarding the allowance of this case, he is cordially invited to contact the undersigned at the number provided below if it would further expedite the prosecution of this application.

Respectfully submitted,



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